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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/521,039 | 11/14/2005 | Peter Heeley | 64751 | 6620 |
| 27975 7590 12/16/2008 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791 | | | | |
| EXAMINER | | | | |
| WILLIAMS, MARK A | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3673 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 12/16/2008 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

Office Action Summary

Application No.

10/521,039

Applicant(s)

HEELEY ET AL.

Examiner

MARK A. WILLIAMS

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 16, 17, 19, 24, 27-30, 32 and 34-36 is/are rejected.
- 7) ☐ Claim(s) 18, 20-23, 25, 26, 31 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16, 17, 19, 24, 27-30, 32, and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen, US Patent 6,993,945. A locking mechanism for a latch mechanism having a latch spindle turnable to move a latch bolt from its latching position, the locking mechanism comprising a rotatable handle 10 having a drive passageway therein for fitting to an adjacent end of the latch spindle; and a locking member 231 mounted on the handle; and a retainer 24 associated and engageable with the locking member to lock the handle against rotation; the drive passageway being configured to allow the handle to turn relatively to the latch spindle in opposite directions through a predetermined angle of movement, at one end of which, the handle is engageable with the latch spindle for turning the latch spindle in an opening direction to move the latch bolt from its latching position and, at the opposite end of which, the handle is in a locking

position in which the locking member is engageable with the retainer and the handle is engageable with the spindle to prohibit turning of the spindle in the opening direction. The locking member is slidably mounted in the handle and is selectively controllable to be engaged with and disengaged from the retainer. A guide 29 defining an arc of movement for the locking member when the handle is turned in the opening direction from its rest position. A base plate 101 securable to a door having the latch mechanism and mounting the retainer thereon; and wherein the handle is rotatably mounted in the base plate. A second handle 50 having a passageway therein for fitting to the end of the latch spindle 26 opposite to that fitted with the locking member. A two-part latch spindle (14, 26), both parts of which are of square section with one of the parts being axially rotated with respect to the other part to accommodate a change in relative positions with the drive passageway.

Allowable Subject Matter

3. Claims 18, 20-23, 25, 26, 31, and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments with respect to the claims of record have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

This action is non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK A. WILLIAMS whose telephone number is (571)272-7064. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on (571) 272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patricia L Engle/
Supervisory Patent Examiner,
Art Unit 3673

/Mark A. Williams/
Examiner, Art Unit 3673